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Held at the Palais des Nations, Geneva,
on Wednesday, 29 March 2000, at 3 p.m.

Chairperson: Mr. SIMKHADA (Nepal)

CONTENTS

STATEMENT BY MR. JOZIAS VAN AARTSEN, MINISTER FOR FOREIGN AFFAIRS OF THE NETHERLANDS

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD (continued)

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GE.00-12175 (E)

The meeting was called to order at 3.10 p.m.

STATEMENT BY MR. JOZIAS VAN AARTSEN, MINISTER FOR FOREIGN AFFAIRS OF THE NETHERLANDS

1. Mr. VAN AARTSEN (Netherlands) said that the fiftieth anniversary of the Universal Declaration of Human Rights had been celebrated recently and that human rights had become the concern of everyone: Governments, non-governmental organizations (NGOs), the business community, the media and the general public. Few regimes could avoid dialogue on the issue of human rights; however, those rights continued to be violated.

2. The Government of the Netherlands based its human rights policy on two fundamental principles. The first was universality. The standards that had been established were universal, and human rights transcended national boundaries. The second was legitimacy. Human rights were a legitimate concern for the international community. There could be no hiding behind the principle of State sovereignty in order to justify violations of human rights and fundamental freedoms.

3. During the previous year, his Government had sought to stimulate debate on the relationship between national sovereignty and human rights. A seminar had taken place in the Netherlands in November 1999 with the purpose of identifying criteria to be used by the international community when it took action to prevent or bring to an end flagrant human rights violations. His Government believed firmly in integrating human rights into all its policy commitments; that was demonstrated by the fact that a new department responsible for issues of human rights and peace-building had been set up within the Ministry of Foreign Affairs and that an ambassador for human rights had been appointed.

4. Human rights were an integral part of the foreign policy of the Netherlands. During his recent visit to Russia, he had called on the Government of that country to fulfil the commitments it had entered into as a member of the United Nations, the Organization for Security and Co-operation in Europe (OSCE) and the Council of Europe. Russia should respect the fundamental values of those organizations and face up to both its moral and its legal obligations. With regard to Chechnya, the Netherlands called on Russia to ensure maximum transparency, to conduct a thorough investigation into the alleged killings, torture and ill-treatment of civilians and displaced persons in Chechnya and its neighbouring republics, to guarantee full access to the territory and freedom of movement for an OSCE monitoring mission and humanitarian organizations, to grant international organizations and the media unimpeded access, and to authorize permanent monitoring of the humanitarian and human rights situation by the Council of Europe, among others.

5. With regard to China, considerable progress had been made in the economic and social fields and improvements had been made to the legal system. However, there remained much to do regarding freedom of expression, association and religion - areas that had suffered a setback in China in 1999. Defenders of democracy, ethnic and religious minorities, such as Tibetans, the

followers of Falun Gong and the leaders of Christian communities, had seen their freedoms curtailed. The Government of the Netherlands urged China to ratify the two International Covenants on Human Rights as soon as possible and to sign the Memorandum of Understanding with the Office of the High Commissioner for Human Rights.

6. Human rights violations took many forms in the world. In some states in the United States of America, the death penalty was still applied to persons who had been under 18 years of age at the time of committing a crime. The Netherlands had recently called on the United States to impose a moratorium on executions.

7. Five issues were of particular interest to his Government: poverty and human rights, racial intolerance, religious intolerance, the prevention of torture, and human rights defenders. Poverty and human rights were the main theme of the Commission's current session. The Government of the Netherlands had made a major contribution over many years to the development of social, economic and cultural rights, but the responsibility for protecting those rights lay first and foremost with the Governments of the States concerned. The fight against racial intolerance was receiving the attention it deserved. The World Conference against Racism to be held in 2001 would be a unique opportunity to address that problem. The Netherlands attached great importance to the broad participation of NGOs in the Conference, because their ideas would help to make human rights policies more concrete and action-oriented. Intolerance could also relate to religion. Freedom of religion was a fundamental right and the outbreaks of religious hatred and violence that continued to occur in many parts of the world were a cause of great concern. Regarding the prevention of torture, the Government of the Netherlands was in favour of setting up a system of visits to places of detention, similar to that of the European Committee for the Prevention of Torture, and supported the adoption of the draft optional protocol to the Convention against Torture. Finally, his Government recommended the appointment of a special rapporteur on human rights defenders, who played a crucial role in the fight for human rights.

8. The Netherlands had long been one of the most generous donors to the system of human rights protection established by the United Nations. It would not change its policy in that regard, because it was a disgrace that barely 1.7 per cent of the total United Nations budget was allocated to human rights. It was also prepared to make human resources available to the United Nations and therefore called on the members of the Commission to vote for the Netherlands candidate for membership of the Sub-Commission.

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD (agenda item 9) (continued) (E/CN.4/2000/7, 10, 26, 28-31, 33-35, 37-43, 45, 101, 113, 115, 116, 119, 121, 127, 129, 130, 139, E/CN.4/2000/NGO/19, 36, 38, 44, 72-75, 86, 89, 96, 103, 124, 137, A/54/726-S/2000/59, A/54/727-S/2000/65, S/2000/137, A/54/660)

9. Mr. AL-THANI (Qatar) said that the Israeli occupying forces in south Lebanon and West Bekaa continued to violate the Geneva Convention relative to the Protection of Civilian Persons in Time of War. They demolished houses, burned crops, destroyed civilian facilities, obstructed economic activities and freedom of circulation, carried out population transfers, detained civilians without charge or trial and inflicted physical and psychological torture

10. Qatar paid tribute to the efforts of the International Committee of the Red Cross (ICRC) to come to the aid of the population in the region. The Commission on Human Rights should continue to put pressure on Israel to stop violating international law and to withdraw from south Lebanon in accordance with Security Council resolution 425 (1978). By withdrawing from south Lebanon, as it had declared it would, Israel would contribute to establishing peace.

11. Mr. Man-soon CHANG (Republic of Korea) said that, despite the efforts made by the international community in general and the Commission on Human Rights in particular to implement the principles enshrined in the Universal Declaration of Human Rights, mass violations of those rights continued to occur in many countries, particularly those that were embroiled in civil wars and conflicts. That was why it was so important to establish effective early-warning mechanisms and especially to take measures aimed at preventing conflicts. It was also necessary to eradicate impunity and create a culture of tolerance between different races, religions and cultures in order to prevent tragic events such as those that had occurred in Kosovo and East Timor. The World Conference against Racism should act as a catalyst in that regard.

12. The Republic of Korea deplored the fact that, in some regions of the world, repressive regimes continued to deprive their own people of their basic rights. The international community should continue to take an active interest in the human rights situation in those countries. His delegation was also deeply concerned at the systematic discrimination and sexual exploitation suffered by women in certain regions of the world. It therefore welcomed the adoption by the General Assembly, at its fifty-fourth session, of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. It was also convinced that the special session of the General Assembly to be held in New York in June 2000 would provide an opportunity to enhance further the rights of women.

13. His delegation urged the international community and the Office of the United Nations High Commissioner for Human Rights to encourage and support the countries in Africa and Asia that had embarked on the road towards democracy. At a time of globalization, the international community should also, as a matter of urgency, promote economic, social and cultural rights and combat the poverty, famine and disease that threatened so many people in the world.

14. It was also necessary, in accordance with the relevant international instruments, to provide appropriate protection for refugees and persons in many countries who were displaced as a result of conflicts. On the Korean peninsula, the many families which had been separated following the Korean War and the partition of the peninsula had still not been reunited and elderly people were passing away without ever having seen their loved ones again. President Kim Dae-Jung, in a declaration made in Berlin the previous month, had therefore called on North Korea to cooperate with South Korea to reunite separated families. The delegation of the Republic of Korea urged North Korea to respond favourably to President Kim's request.

15. In conclusion, his delegation assured the Commission of its firm commitment to human rights and of its full support.

16. Mr. AL-HADDAD (Observer for Bahrain) said that the Government of Bahrain was firmly convinced that international cooperation and dialogue were the best means of safeguarding fundamental rights and freedoms. It was in that spirit that Bahrain had participated in the Inter-sessional Workshop on Economic, Social and Cultural Rights and the Right to Development in the Asia-Pacific Region, held in Yemen in February 2000, and the Workshop on Regional Cooperation for the Promotion and Protection of Human Rights in the Asia-Pacific Region, held in Beijing in March 2000. Bahrain had also sought technical assistance from the Office of the United Nations High Commissioner for Human Rights and would shortly be receiving the Working Group on Arbitrary Detention. Moreover, in the previous year, Bahrain had withdrawn its reservation to article 20 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and had recently submitted its periodic report to the Committee on the Elimination of Racial Discrimination.

17. Bahrain did everything possible to guarantee its citizens their rights to housing, education, health and welfare, and was always ranked highly in the Human Development Report published each year by the United Nations Development Programme (UNDP). Nonetheless, Bahrain did not intend to rest on its laurels and had recently set up a human rights committee that was mandated to look into a wide range of issues relating to human rights. Many detainees had been released and the ICRC was continuing its visits to prisoners, pursuant to the Memorandum of Understanding signed in 1996. In addition, a delegation from Amnesty International had visited Bahrain in June and July 1999. During the past year, the Government had granted Bahraini citizenship to a large number of new applicants. Moreover, at least 22 Bahrainis who had committed acts against their country and chosen to live abroad had returned to Bahrain. Finally, in the forthcoming municipal elections, women would for the first time be entitled to vote and to stand for election.

18. His delegation wished to caution the Commission against attempted manipulation by certain individuals and groups on the pretext of defending human rights, despite the very positive progress the country had made in the field of human rights. It reaffirmed that the State of Bahrain was resolved to protect human rights and to continue its cooperation with all the United Nations human rights mechanisms.

19. Mr. RAJA NUSHIRWAN (Observer for Malaysia) said that, when the situation of a country was being considered, reference was made only to the enjoyment of civil and political rights, and it was forgotten that many countries, particularly developing countries, were faced with a whole series of problems linked to the non-implementation of economic, social and cultural rights. However, those rights were as fundamental as the right not to be subjected to torture. The non-implementation of the right to food, for example, could have consequences that were just as fatal as torture.

20. It had often been said that the Commission's strength lay in its moral weight. It was therefore a matter of concern that its relevance and credibility might be diminished as a result of demonization, whereby countries were classed as good or bad, or as good countries turned bad and vice versa. In fact, each country was doing its best to survive in an increasingly difficult and brutal world. The main threat to the relevance and credibility of the Commission was selectivity, which was a real and not just a theoretical problem. It therefore had to be tackled, the crucial question was whether the necessary courage would be found to do so.

21. Malaysia was a small developing country and therefore, in order to survive, needed to maintain friendly relations with all countries. That implied a policy of constructive engagement. In that regard, Malaysia did not believe that the adoption of resolutions on the situation in one country or another was consistent with such a constructive approach. Such resolutions were ineffective because they sought to achieve two contradictory objectives. On the one hand, they had a condemnatory function and, on the other, they sought to guide the country concerned in the right direction. Yet condemnation was hardly ever conducive to cooperation. It was for those reasons that, during its membership of the Commission, Malaysia had refrained as far as possible from voting in favour of that type of resolution, even though it had sometimes expressed its concern at the situation in certain countries, such as South Africa under the apartheid regime.

22. Human rights had never before occupied such a central place in the international community's concerns. Progress had already been achieved, but new, more cooperative approaches needed to be formulated. There was a real need for reflection by all countries.

23. Mr. LUCK (Observer for Australia) said that it was becoming increasingly clear that in countries lacking strong institutions, the rule of law, accountability, transparency and the active participation of civil society it was very difficult to ensure the population's welfare. In Indonesia, for instance, the democratically elected Government had taken measures to increase the State's and the military's accountability for their actions. In particular, it had supported investigations into human rights violations in East Timor and Aceh, and had created a Ministry of Human Rights. The release of political prisoners and the establishment of freedom of the press were very significant developments as well. Australia fully supported the efforts made by Indonesia in the field of human rights, and called on other countries to do the same. In East Timor, the United Nations, its member States and the Commission had an important role to play in establishing a climate of trust and reconciliation in order to foster the building of a new nation.

24. While recognizing the great strides taken by China in the area of economic and social rights, Australia urged that country to do everything possible to ensure that all the human rights of all its citizens would be respected, especially freedom of assembly, association and speech and the rights of religious and ethnic minorities.

25. In Cambodia, Australia commended the introduction of a system of village-level monitoring of human rights problems and the measures taken to permit the prosecution of members of the police force suspected of criminal activity. However, much remained to be done to eliminate the culture of impunity and restore respect for the rule of law. Concerning Burma, Australia remained very concerned at the continued lack of progress on human rights. It urgently requested the Burmese Government to open a genuine dialogue on political reform and human rights, which must include the National League for Democracy (NLD) and representatives of ethnic minorities. On the other hand, Australia commended the Burmese Government's decision to grant the International Red Cross access to the country's prisons.

26. Australia shared the concern of the international community over the disastrous humanitarian situation in Chechnya, and strongly supported the efforts made to resolve the crisis. It remained deeply concerned about the human rights situation in Afghanistan, and in particular

by the violation of the rights of women and girls. It urgently called upon all the factions to observe international law and facilitate the provision of humanitarian assistance. With regard to Algeria, Australia commended the steps taken by President Bouteflika towards reconciliation and the restoration of peace. Australia also welcomed the support given by the Iranian people to the reformist political programme of President Khatami.

27. Australia was also concerned about human rights violations in Cyprus and about the conflicts afflicting the African Great Lakes, the Sudan and Sri Lanka.

28. Mr. HAFEZ (Observer for Egypt) said that it was necessary to bridge the gap within the Commission between human rights values and national interests, on the basis of the Programme of Action adopted in 1993 at the Vienna Conference, which set out four main criteria. First, objectivity: human rights must not be subjugated to political interests. By changing its working methods, the Commission had made great progress in that area. Secondly, the credibility of the Commission's work. In order for it to be credible, the Commission must ensure that its work was neither selective nor discriminatory. Unfortunately, in many cases it had maintained a double standard. Thirdly, respect for international legality and for the Charter of the United Nations, and in particular the principle of non-interference and respect for the sovereignty of States. Fourthly, the importance of a balanced dialogue, so as to promote human rights with mutual respect and respect for the unique characteristics of each people.

29. Among the worst violations committed in the past year were those perpetrated in south Lebanon and in Chechnya. In south Lebanon, civilians had been deliberately shelled by Israel, which had also destroyed much of the infrastructure that had been rebuilt with Egypt's participation. In Chechnya, the Egyptian Government had called for an end to the military operations and for a peaceful settlement. In February 2000 the Egyptian Ministry of Foreign Affairs had taken part in a meeting held in Moscow on humanitarian assistance for Chechnya and the return of displaced persons. Egypt condemned all forms of terrorism, and called for the protection of civilians in time of war. It supported cooperation between Russia and humanitarian organizations, and condemned the crimes which had been committed by the military in Chechnya.

30. Mr. MENGESHA (Observer for Ethiopia) said that the warlike, expansionist and criminal nature of the Eritrean regime had become blatantly obvious. To date, some 350,000 people had been displaced by the Eritrean aggression and continued to live far away from their homes, in very difficult conditions. In all, Eritrea had brutally expelled more than 45,000 Ethiopians. Thousands more continued to live under the yoke of the Eritrean occupation forces, which had launched attacks against civilians, as had been noted by the mission sent to the two countries by the Joint Assembly of the European Union and the Group of African, Caribbean and Pacific States. That mission had concluded that the bombing, in June 1998, of a school in the region of Mekele had clearly been intended to kill civilians and break the morale of the population.

31. In the areas it occupied, the criminal Eritrean regime had also set antipersonnel mines which had killed or wounded hundreds of civilians and much cattle. Eritrean troops had desecrated and looted religious places. The Eritrean regime had refused to grant the ICRC

access to Ethiopian prisoners of war, who were tortured and summarily executed by the Eritrean security forces. The Eritrean regime had also engaged in a vast campaign of hatred against Ethiopia and Ethiopian nationals.

32. In conclusion, the Ethiopian delegation reaffirmed the commitment of the Ethiopian Government to the peace plan drawn up by the Organization of African Unity (OAU). It called upon the international community to condemn the atrocities committed by the Eritrean regime and to demand that it immediately halt its aggression and threats against Ethiopian civilians, that it authorize the ICRC to visit Ethiopian prisoners of war and detained Ethiopian civilians and that it cooperate with the OAU in seeking a peaceful solution to the crisis.

33. Mr. DIAZ D'AVILA (Observer for Nicaragua) said that, at a time when democratic values were spreading throughout the world, the totalitarian nature of repressive and domineering regimes which denied the inexorable march of freedom had to be condemned. Having undergone rightist and leftist dictatorships and internecine strife, Nicaragua had, since 1990, embarked on the path of democracy and national reconstruction with respect for human rights and economic freedoms. Nicaraguans were convinced that elections were beyond any doubt the most effective means by which peoples could choose their Governments.

34. Nicaragua, which had chosen the path of freedom and dignity, was concerned about the persistence of flagrant human rights violations in different parts of the world. The Nicaraguan Government was convinced that economic freedom could not be ensured without political freedom.

35. The Commission must actively assist peoples still subjected to dictatorship in recovering their freedom, and must consider mechanisms capable of ensuring a peaceful transition to the full enjoyment of human rights.

36. Mr. PAK Dok Hun (Observer for the Democratic People's Republic of Korea) expressed concern over the violations of sovereignty committed in the world, often under the pretext of humanitarian intervention, in defiance of the Charter of the United Nations and international law. Certain forces went so far as to challenge the very principle of sovereignty in the name of the universality of human rights, with the aim of forcibly subordinating small, independent countries. The principle of sovereignty could not be dissociated from human rights. It had to be strengthened, not redefined and weakened.

37. The delegation of the Democratic People's Republic of Korea once again demanded the immediate abolition of the National Security Law of South Korea, which defined North Korean citizens as an enemy to be exterminated and which prohibited communication between the populations of the north and south, including members of the same family.

38. The Government of the Democratic People's Republic of Korea always defended the fundamental rights of its people and placed all State resources at their service. For it, human rights were inviolable. It observed instruments relating to human rights, and intended to cooperate with the international bodies concerned and fulfil its obligations faithfully.

39. Ms. SHARFELDDIN (International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD)) recalled that two senior officials of the United Nations, the United Nations Humanitarian Coordinator for Iraq and the Director of the World Food Programme in Iraq, had resigned in protest against the "oil for food" programme, which did not meet the population's basic needs, and against the embargo and sanctions imposed on Iraq. The resolution adopted by the Security Council in January remained largely unimplemented owing to the perhaps intentional association of humanitarian considerations and the American and British policy aimed at disarming Iraq. Everyone knew how useless the sanctions imposed for the past 10 years had been. International public opinion would hold American and British politicians responsible for the human tragedy caused by the sanctions, especially the infant mortality. Over the centuries, much aggression and abuse had been committed and was still being perpetrated by one or another party, but never had the retaliation gone so far as to starve an entire people for years and to mercilessly kill their children.

40. American Congressmen had recently called for the sanctions against Iraq to be lifted. That initiative must not be left in abeyance. NGOs, which represented the peoples of the world, had the obligation to mobilize opinion and appeal to the public conscience. NGOs therefore called for the immediate lifting of the sanctions afflicting the people and children of Iraq.

41. Ms. JOHANNESEN (Asian Legal Resource Centre) addressed the situation of the Dalits, who in previous times had been called "untouchables" and who represented 17 per cent of the population of India, or at least 170 million people. Despite the official abolition of the status of untouchables, the Dalits were still excluded and oppressed. While the Constitution provided for equality, fraternity and liberty, they continued to be subjected to virulent discrimination. Deprived of land, they were harassed by the higher castes simply for attempting to exercise their legal rights and improve their social condition. Only a genuine land reform which gave land to the Dalits could solve the problem.

42. The caste system in India was an extreme form of discrimination. However, since that discrimination was not based on colour, race, ethnicity or gender, it was not recognized. The international community remained silent because the victims of that discrimination did not fall into officially defined groups. That attitude was contrary to the principles of justice and international human rights law.

43. Ms. MARTINEZ NIETO (International Council of the Associations for Peace in the Continents (ASOPAZCO)) said that her organization joined in the call for an inquiry into the atrocities committed by Russian troops against the civilian population of Chechnya. She was concerned about the repression by the Chinese Government of peaceful activists in the Tibet and Sin-Kiang autonomous regions and of members of the peaceful Falun Gong movement.

44. ASOPAZCO, a Spanish organization, recalled that Spain was the host country for hundreds of Cuban refugees. It therefore felt that it was important to refer to the situation prevailing in Cuba. Civil and political rights were being flouted, dissidents were harassed or intimidated, human rights and environmental activists were taken to court, members of agricultural cooperatives were threatened or arrested, and the press was gagged under the pretext

of ensuring its objectivity. Informing on others was encouraged, and those who pushed for social reforms were jailed. The Government refused to release lists of political prisoners, their places of detention and the grounds for sentencing them.

45. That brief catalogue of abuse could give only a synopsis of the breaches of the Universal Declaration of Human Rights, which Cuba had nonetheless signed. The international community and the Commission must press the Cuban Government to respect the treaties to which it had acceded. Human rights were universal, and that universality was an obligation for everyone, including Cuba.

46. Mr. OZDEN (Centre Europe-Tiers-Monde (CETIM)) said that the embargo against Iraq was unacceptable and illegal, and that it challenged the moral and legal authority of the United Nations. The maintenance of the embargo, which had disastrous consequences for the population and especially children, was in contradiction with the human rights work of international organizations.

47. CETIM also took exception to the embargo, imposed with unequalled arrogance by the United States against Cuba, which the United Nations was powerless to counteract. Despite the universal condemnation reflected in numerous General Assembly resolutions, the United States was obstinately pursuing its policy, even going so far as to bring pressure to bear on other countries to compel them to follow its example, and had adopted laws such as the Helms-Burton Act to impose its national legislation on the entire world. The embargo, which had been in effect for 40 years, would have disastrous repercussions even for future generations.

48. Both situations demonstrated that the American super-Power would stop at nothing to spread its hegemony, despite international decisions and the sovereign rights of peoples enshrined in the Charter of Economic Rights and Duties of States adopted by the General Assembly in 1974.

49. Ms. WIDIANTARTI (Pax Romana (International Catholic Movement for Intellectual and Cultural Affairs and International Movement of Catholic Students)) said that the human rights situation in Peru had further deteriorated in 1999. President Fujimori was running for a third term in conditions which cast doubt on the legality of the future elections. In July 1999 Peru had withdrawn from the compulsory jurisdiction of the Inter-American Court of Human Rights, thus depriving its citizens of the only means of human rights protection that remained after the Government took over control of the judiciary and dismantled the Constitutional Court. The Commission might consider adopting a position to maintain the integrity of the inter-American system in accordance with the resolutions adopted in August 1999 by the Sub-Commission on the Promotion and Protection of Human Rights.

50. In Indonesia, gross violations of human rights had continued after the election of Mr. Wahid as the third President. The army was involved in nearly all cases, and in particular the recent events in East Timor, but so far not a single one of the military officers responsible had been brought to justice. The interference by the army in civil and political life ran contrary to the restoration of democracy. The Indonesian Government had investigated the human rights violations perpetrated in various parts of the country, but since it had never followed up on their

findings it had ensured the impunity of those responsible for them. The Government must bring the perpetrators to justice and protect the victims of the ongoing civil unrest currently afflicting Indonesia.

51. The situation in Chechnya too was of concern, for three main reasons. The first was the stealthy liquidation of a people through systematic bombing and ethnic cleansing operations in the absence of any humanitarian organizations. The second was the desire of the Russian Government to find a definitive solution to the question of Chechnya under the cover of an antiterrorist operation, despite the signature in 1997 of an agreement between President Maskhadov, the head of the Chechen resistance, and President Yeltsin not to resort to violence. The third was the passivity of the European Union and the international community faced with the abuses committed by the Russian regime and the systematic disinformation of the Russian population.

52. Lastly, Pax Romana wished to appeal to the international community to rebuild Kosovo, to establish the rule of law and to support civil society there.

53. Ms. BARTHA (World Evangelical Fellowship) drew attention to the religious persecution of Christians in Viet Nam. Under a decree on religion issued in April 1999 and in accordance with article 70 of the Constitution, certain religious activities were punishable by law. The texts were deliberately drafted in an ambiguous manner which left room for tendentious interpretation and gave sweeping powers to the local authorities and security services. The protestant churches and ethnic minorities in particular, especially the Hmong people, had been the target of various forms of harassment.

54. Two persons had been subjected to ill-treatment and arrested under false pretences, Mrs. Nguyen Thi Thuy and Mr. An. The former had been arrested during a police raid on a religious service held in her home and sentenced to a year in prison for obstructing an officer of the law in the performance of his duty, although the maximum sentence for such an offence was a fine of 75 dollars. Mr. An, who had been a war hero, had been arrested and savagely tortured while under interrogation.

55. It was inadmissible that individuals should be subjected to such abuse because of their religious convictions. The World Evangelical Fellowship called for efforts to be made to bring Vietnamese legislation into line with international standards and to secure the release of the persons mentioned, as well as any other persons persecuted for their beliefs.

56. Mr. GRAVES (Interfaith International) denounced the numerous violations of human rights committed in Pakistan, and in particular in Sindh province, as reported in 1997 and 1998 by the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Special Rapporteur on extrajudicial, summary or arbitrary executions, Amnesty International and Human Rights International Alliance. In 1999 the Pakistan authorities had declared martial law, suspending the parliament, abrogating the Constitution, setting up "special tribunals" and further flouting the rights and fundamental freedoms of the people of Sindh, which had strengthened their resolve to seek self-determination. As a State Member of the United Nations, Pakistan must abide by its commitments under international law. If it did not, it would be up to the international community to defend the basic rights of the people of Sindh,

including the Sindhis and the Mohajirs. The establishment of an independent fact-finding mission was essential in order to ensure that the latter could continue to participate in the peace and prosperity of the region.

57. The situation in Bahrain was also of concern. The Ministry of the Interior had just released 24 citizens who had been held in administrative custody for over four years. One, Mr. Ibrahim Hassan Jassim, who had been arrested in December 1994 and had spent three years in prison without having any charges brought against him, had been released for one night and subsequently jailed for two and a half years more. Sheikh Mohammed Al-Rayyash, who had been arrested in December 1995, had been tortured. His only crime had apparently been to oppose measures taken by the Government against certain places of worship.

58. According to the World Organisation against Torture, the pro-democracy leader Abdul Wahab Hussain, who had been released from prison by a decision of a High Court judge on 17 March after three years in detention, had once again been imprisoned just a few hours after his release, apparently for another period of three years. He had reportedly been obliged by the security services to sign a statement apologizing for his activities and promising not to call for political reforms. Noting that the visit to Bahrain of the Working Group on Arbitrary Detention had once again been deferred, Interfaith International hoped that such a visit could take place as soon as possible.

59. Mr. MOHAMMADI (Organization for Defending Victims of Violence) remarked that although human rights were violated in countries in both North and South, the phenomenon was more frequent in the least developed and the developing countries.

60. In Afghanistan, violations of human rights, especially those of women and ethnic and religious minorities, were increasingly widespread. During the preceding year the Taliban had engaged in "Pashto-ization" - virtual ethnic cleansing - which had forced the Shia, Tajik and non-Pashto population from their homes and reduced them to abject poverty. Drug production and trafficking were on the rise and weapons were readily available.

61. In Iraq, the people were suffering the consequences of Saddam Hussein's aggressive policies in the Persian Gulf and the international sanctions imposed on the country. The regime continued to place restrictions on Shia religious schools.

62. Although those charged in Iran with the clashes on the Tehran University campus were being tried, the sentences passed on some of the students arrested during the clashes were disturbing and needed to be reviewed by the judiciary. The investigation into the chain of killings in the autumn of 1998 was proceeding at a snail's pace; it should be conducted with transparency, and the perpetrators brought before the courts. It was also important to denounce the violent actions of two groups: one responsible for a mortar-shell attack, and another, which had assassinated Saeid Hajjarian, Deputy President of Tehran City Council and editor-in-chief of Sobh-e Emrooz. At the same time, changes were occurring in Iran. The parliamentary elections had shown that the people wanted reforms and the establishment of the rule of law and of religious freedoms. Violence could not be allowed to obstruct that reform process.

63. The United Nations, more than ever before, must endeavour to install suitable mechanisms for the strengthening of the developing countries' cultural, economic and social infrastructure and national capacity-building, because a poverty-stricken, polarized society could not furnish the guarantees required for the observance of human rights. National institutions should be encouraged as an effective measure for human rights promotion and protection.

64. Mr. BOWDEN (Liberation) deplored the deterioration of the human rights situation in the province of Aceh (Indonesia). In 1999 an independent Indonesian commission of inquiry had documented 7,000 cases of human rights abuses between 1989 and 1998, including summary execution, torture, rape and abduction. A new security operation launched by the Chief of Police in February 2000 had resulted in a marked increase in intimidation, torture, disappearances, rapes, and detention of human rights defenders and others active in civil society. Over 250 people had been killed since the beginning of 2000.

65. In West Papua the reformasi period had led to a resurgence of calls for self-determination, which the security forces had countered with violence. His organization urged the Commission to call upon the Indonesian Government to honour the 1999 statement by the Chairperson of the Sub-Commission and to implement the recommendations contained in the reports of the Commission's appropriate thematic mechanisms (E/CN.4/2000/4/Add.2 and E/CN.4/1999/68/Add.3). It further urged the Commission to organize follow-up visits by the thematic mechanisms to investigate the latest violations, and to encourage the Indonesian Government to honour its commitment to establish credible independent human rights courts to try those responsible for past and future violations of human rights.

66. As for India, Liberation was concerned at the growing trend in fabricated charges brought by the police against human rights activists, especially in the Punjab, and requested the Commission to urge the Indian Government to act swiftly to end such violations.

67. In Yemen, torture, arbitrary arrest, forced disappearance, violation of women's rights and repression of fundamental freedoms still remained despite the Government's commitment to address them. His organization called on the Commission to review the situation and to urge the Yemeni authorities to fulfil their human rights obligations.

68. Since 1974, Cyprus had witnessed systematic violations of the human rights of the Cypriot people and the destruction of Christian culture in the north of the island. His organization requested the Commission to seek a resolution from the General Council of the European Union stating that no further economic or military integration of Turkey into Europe would occur until it had implemented all previous resolutions.

69. Mr. VIDYASEKERA (Afro-Asian People's Solidarity Organization) agreed with the Office of the United Nations High Commissioner for Human Rights that there should be no impunity for those who indulged in gross violations of human rights. Although the procedure undertaken against General Pinochet by a Spanish magistrate had sparked considerable enthusiasm among human rights activists, many perpetrators of far graver human rights abuses had gone scot-free.

70. In Bangladesh mass graves of persons killed by the Pakistan army before the country had been liberated were still being discovered. The Commission should examine the case and expose that atrocity. Over 100,000 East Timorese allegedly remained in camps under the control of the pro-Indonesian militia in West Timor. Nearly 500 of them, including 310 children, had reportedly died as a result of inadequate sanitation. He urged the international community to investigate those human rights violations and bring the perpetrators to justice.

71. The media had reported that slavery was being practised in the Sudan. Unfortunately, however, States were more interested in protecting their oil interests. The Commission must take steps to restore the rights of those oppressed people. Hundreds of members of a Christian cult who had died in a fire in southern Uganda were thought to have actually been murdered by their religious leaders. Several mass graves had been discovered. He urged the international community to take steps to discover the truth and bring the perpetrators to justice.

72. The situation in Kosovo was tense, and ethnic cleansing continued despite the presence of the International Security Force in Kosovo (KFOR). The major powers' disregard for the authority of the United Nations was largely to blame for that situation. The role of the United Nations had been ignored in Kosovo, Chechnya and Palestine. The true role of the United Nations must be restored so as better to safeguard human rights.

73. Ethnic conflicts had erupted in many parts of the world after the end of the cold war. For instance, the Kurds were denied their identity by the States in which they lived; the Commission must take the necessary steps to alleviate their suffering. Some oppressed ethnic minorities were emigrating and coming face to face with racism and xenophobia; the Commission must also endeavour to safeguard the rights of immigrants.

74. Mr. WARNER (Pax Christi International), speaking also on behalf of the International Peace Bureau, said the war that had begun in the Democratic Republic of the Congo in August 1998 was an international conflict. In January 2000, the United Nations Secretary-General had estimated that there were 1 million internally displaced persons in the Congo. There were also 300,000 refugees in the Congo from other Central African States, most notably Rwanda. Of a total population of 50 million, 2.1 million were directly affected by the war. Not only was there critical food insecurity, but civil administration and political activity had slowed considerably, and the situation had by no means improved with the Lusaka Peace Accord concluded in July 1999. The Security Council had recently decided to bring the strength of the existing United Nations Observer Mission to 5,500, but that measure was not enough. Although the Organization of African Unity was prepared to mediate, it had shown little initiative in helping to implement the Accord.

75. The human rights situation was extremely critical in the territories occupied by the forces of Rwanda, Burundi, Uganda and the Congolese rebel organizations and in areas controlled by the Government in Kinshasa. The 1997 massacres of Rwandan refugees, which had marked the assumption of power by the Kabila Government, remained unsolved. ICRC still faced difficulty of access to prisoners of war. Ethnic polarization, public discontent, dissension within the rebel movements, the growing distribution of weapons and the recruitment of child soldiers were undermining any effort to achieve lasting peace.

76. Pax Christi International urged the Commission to adopt a resolution calling for the continuation of the mandate of the Special Rapporteur on the human rights situation in, and its extension to all parts of, the Democratic Republic of the Congo, strengthening of the activity of the Office of the United Nations High Commissioner for Human Rights, establishment of human rights observers throughout the Democratic Republic as part of the planned strengthening of the United Nations Observer Mission, restriction of the rights of the military courts, and a halt to the recruitment of child soldiers. Furthermore, the human rights violations in the Democratic Republic of the Congo were a direct outcome of the ongoing state of war; the international community should therefore impose an arms embargo for the entire region, which would include light weapons; ensure implementation of the Lusaka Peace Accord; and convene an international conference of all Central African States in order to arrive at a comprehensive solution of the conflict.

77. Ms. RISHMAWI (International Commission of Jurists - ICJ) raised the question of accountability for international crimes, which included genocide and crimes against humanity. Through vigorous fact-finding the Commission on Human Rights could pave the way to ending impunity for such crimes.

78. There had been well-founded allegations that in Chechnya the Russian forces had indiscriminately bombed civilians, including those fleeing the country, and had resorted to summary executions, forced disappearances, arbitrary detention, torture, rape, and looting of homes. Upon accession to the Council of Europe in 1996 the Russian Federation had promised that those found responsible for human rights violations, notably in Chechnya, would be brought to justice. But it had not honoured that commitment. The lack of accountability for violations committed in Chechnya led one to doubt the Russian Federation's assurances. ICJ welcomed the visit to Chechnya by the High Commissioner for Human Rights and called upon the Commission to undertake a thorough investigation into the situation in Chechnya either by utilizing one of the existing mechanisms or by creating a new one for the purpose.

79. ICJ appreciated the work done by both the United Nations Commission of Inquiry and the Indonesian Commission of Inquiry into human rights violations in East Timor. However, it was concerned that many military officials responsible for such crimes had still not been brought to justice and that Indonesia had not incorporated crimes against humanity in its legal system. ICJ urged the United Nations to create a body of independent experts to monitor the legal proceedings initiated in Indonesia with regard to war crimes committed in East Timor.

80. The July 1999 Peace Agreement between the Government of Sierra Leone and the armed opposition groups had raised hopes that human rights violations would end. However, the United Nations Mission in Sierra Leone (UNAMSIL) had reported further abductions, rapes and attacks on civilians. The Agreement pledged impunity for acts committed during the conflict. While ICJ welcomed the fact that the amnesty did not cover genocide, international crimes and crimes against humanity, it was still unclear how the perpetrators of such crimes could be brought to justice. Both the Secretary-General of the United Nations and the United Nations High Commissioner for Human Rights had requested the establishment of a commission of inquiry. ICJ called upon the Commission to appoint a special rapporteur on the situation in Sierra Leone, including the various elements that could bring an end to impunity for the international crimes committed in that country.

81. Ms. ROBERT (Médecins du Monde) said her organization was especially concerned at the situation in Chechnya, where it had maintained a presence since December 1994, providing primary and mental health care. The entire refugee population in the Ingushetia camps were suffering from psychological trauma and 25 per cent from severe mental trauma. Their trauma was linked to the direct effects of an extremely violent war waged against the civilian population, to the living conditions of the refugees and displaced persons and to the resurgence of recent psychological wounds provoked by the internecine war of 1994-1996. An estimated 100,000 displaced persons were living in highly precarious conditions.

82. Since the end of 1999 Médecins du Monde had been gathering eyewitness accounts from Chechen refugees and from the medical teams, which revealed that grave violations of international humanitarian iaw had been committed. Chechen medical facilities had been methodically and systematically bombed. Many doctors, nurses and patients had been dispatched to an unknown fate in filtration camps. It was impossible to guarantee the safety of medical personnel and of the wounded being treated in Chechnya.

83. The existence of filtration camps in which grave and systematic human rights violations occurred caused great concern. Médecins du Monde wondered about the fate of those supposedly evacuated from the filtration camps and those who had remained in detention. It condemned mass executions, such as had occurred in Alkan lurt in December 1999, and the destruction of towns and villages. The various eyewitness accounts collected by Médecins du Monde and other NGOs justified the establishment of an international commission of inquiry. Meanwhile, Médecins du Monde requested the Russian authorities to put an immediate end to the violations of human rights and international humanitarian law; to allow civilians free access to humanitarian assistance throughout the country, including Grozny; to entertain the possibility of independent assessments of the situation; and to guarantee the safety of humanitarian organizations.

84. Ms. CHOEPEL (International Union of Socialist Youth - IUSY) said that for many years, despite evidence of the worsening human rights situation in Tibet - documented by the Commission's own thematic mechanisms - the Commission had been prevented by procedural manoeuvres from adopting a resolution on China. Nevertheless, since the visit to Tibet of the Special Rapporteur on religious intolerance in 1994, the Chinese authorities had banned the public display of the Dalai Lama's photograph and had imprisoned the Panchen Lama at an undisclosed location. Over 11,000 monks and nuns had been expelled for opposing China's "patriotic re-education" campaign at monasteries and nunneries. The International Union therefore urged the Chinese authorities to receive the Special Rapporteur on religious intolerance on a follow-up visit to Tibet. Further, since China's ratification in 1988 of the United Nations Convention against Torture, 69 known Tibetan political prisoners had died as a direct result of torture, and each year brought new victims. IUSY therefore appealed to the Special Rapporteur on torture not to ignore Tibet during his official mission to China later in the year. Lastly, 615 Tibetan political prisoners were listed as being held in Chinese prisons in December 1999, one of them being Ngawang Choephel, an ethnomusicologist sentenced in 1996 to 18 years' imprisonment on charges of espionage. In May 1999 the Working Group on Arbitrary Detention had categorized his detention as arbitrary and in breach of international human rights standards.

85. By closing its eyes to those persistent violations of the human rights and fundamental freedoms of Tibetans, the Commission only encouraged China to commit further violations. Action needed to be taken since it was evident that the human rights dialogue with China had yielded no tangible results. IUSY therefore urged the Commission to adopt a resolution condemning the systematic violations of human rights and fundamental freedoms practised by China in Tibet. It would show all political prisoners held by the Chinese authorities that the international community was hearing their call.

86. Mr. QUIGLEY (Franciscan International) said the concerns expressed by his organization at the serious human rights violations committed in Mexico had been corroborated by the Special Rapporteur on extrajudicial, summary or arbitrary executions and by the High Commissioner for Human Rights following their recent visits to Mexico. The Sub-Commission on the Promotion and Protection of Human Rights and several treaty bodies had expressed similar concerns. In response to the persistent allegations of torture, extrajudicial executions, disappearances and violations of the rights of the indigenous communities in Mexico, Franciscan International urged the Commission to ensure the implementation of the recommendations contained in the 1999 statement by the Chairman of the Sub-Commission and those made by other United Nations mechanisms. It also requested it to ensure that the violations of the rights of the indigenous peoples should be seriously addressed in the technical assistance programme being discussed by the Mexican Government and the Office of the High Commissioner in Bogotá.

87. The human rights situation in Colombia, which had been under discussion in the Commission for many years, had worsened despite the attention paid to the issue and the opening of the Bogotá Office of the High Commissioner. In 1999, teachers had been killed, trade unionists had been threatened and tens of thousands of persons had been displaced. The peace talks had stalled and were currently viewed as a mere smokescreen to hide the real intentions of both parties. In addition, the "Colombia-fatigue" felt by the Commission members and the NGOs' disillusion over the lack of results could lead to escalation of the civil war. Even more alarming, the United States Administration intended to supply Colombia with military assistance of over $1 billion at a time when the international community could not find adequate funds to finance the activities of the Bogotá Office.

88. Despite measures taken by the new Government in Brazil to promote human rights and agrarian reform, many unresolved problems remained: social inequalities, failure to respect the rights of children, torture, racism, and inhuman prison conditions. Franciscan International was also concerned at the Government's decision to develop with the World Bank a model of agrarian reform that supplied loans to purchase land at market value prices, which was unrealistic and could force up the value of land and reward owners of huge landholdings.

89. Mr. MANCISIDIOR (Federación de asociaciones de defensa y promoción de los derechos humanos) called on the Commission to consider the situation of those thousands of persons who, following the events in East Timor, had been obliged to become refugees or had been forcibly displaced by the militia and Indonesian armed forces in West Timor. Food

shortages, the repression to which they were subjected by the pro-Indonesian militia, insecurity and their inability to return freely to their homes made their living conditions unbearable. The Indonesian authorities, however, had decided that by the end of March all displaced persons must either return home or be required to take Indonesian nationality.

90. His organization accordingly denounced the systematic violation of the human rights of the Timorese people following the annexation of their territory and the impunity enjoyed by those responsible, as well as the Indonesian Government's failure to cooperate with the international bodies concerned with refugees and displaced persons. It demanded that a full account be given of events since the referendum, that the right of the East Timorese to fair compensation be recognized, and that the Indonesian Government should disarm the militias operating in West Timor and guarantee the safe return of all displaced persons to East Timor. It should also cooperate fully with the international agencies and the United Nations Administration in East Timor. Lastly, it called on the Commission to take action to ensure that all those responsible for human rights violations in East Timor were brought before an international tribunal, and the necessary measures taken to ensure the safety and free return to their homes of the displaced persons in West Timor.

91. Mr. NAIR (South Asia Human Rights Documentation Centre - SAHRDC) said that his organization regretted that the pledges made by General Musharaf following the military coup d'état whereby the repressive regime of Prime Minister Nawaz Sharif was overthrown had not been fulfilled. In failing to respect the rights of persons under investigation the new Government had not lived up to its undertaking to protect the basic human rights and dignity of the Pakistan people.

92. According to the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and numerous other international human rights instruments, all suspects had the right to be informed of the charges against them, to be represented by legal counsel, to enjoy access to the outside world, to be brought promptly before a judge, to challenge the lawfulness of their detention, to be tried within reasonable time or else released, and to be presumed innocent until proven guilty. Furthermore, the principle of non-discrimination required that Governments should pursue all persons who might have violated the law, regardless of their status. The Law on National Accountability not only did not recognize any of those rights but even required accused persons to prove that their actions were lawful, which meant in effect that they were presumed guilty until they could prove their innocence. The Bureau established under the Law had failed to give some accused persons, almost all of whom were members or supporters of the previous political regime, opportunities for consulting with their lawyers or with their families, which meant that they were unable to defend themselves. Lastly, the chairman of the Bureau had openly stated that it was not within his mandate to pursue investigations against members of the armed forces or the judiciary, thereby publicly acknowledging the selective nature of the process.

93. His organization believed that the guilty should be punished. At the same time, the military regime must respect international standards of fair investigation and trial.

Statements in exercise of the right of reply

94. Mr. CHOE Myong Nam (Observer for the Democratic Republic of Korea) rejected on behalf of his Government the groundless and prejudiced allegations made at a previous meeting by the representative of the European Union. The bilateral relations that existed between the Government of the Democratic Republic of Korea and the European Union, based on respect for the principles of national sovereignty and non-interference in domestic affairs, made those accusations the more surprising and disappointing. The European Union's allegations were simply a reiteration of false information put about by hostile forces with a view to defaming the Democratic Republic of Korea. Such behaviour proved that the European Union was pursuing a policy of selectivity and double standards in regard to human rights to a point hampering the sound development of international relations. It would do better to direct its attention as a matter of priority to violations of human rights in its own region, such as increasing drug abuse and xenophobia.

95. The Government of the Democratic Republic of Korea wished to reaffirm its determination to further promote and protect human rights according to the principles of equality and mutual benefit.

96. Mr. RAJA NUSHIRWAN (Observer for Malaysia), also referring to the statement made by Portugal on behalf of the European Union, regretted that the observations regarding Malaysia contained in it were based on prejudice rather than fact and reflected a unilateral point of view. In fact, Malaysia was a country which respected the rule of law. All the measures taken by the authorities were in implementation of the law in force and could not therefore be described as repressive.

97. On the matter of the Special Rapporteur on the independence of judges and lawyers, he noted that his delegation intended to revert to the topic under agenda item 11. Lastly, he noted with regret that the European Union had chosen to disregard an essential principle of law, namely the presumption of innocence, in particular in its judgement concerning the independence of the National Commission on Human Rights. His delegation would take the matter up further under the relevant agenda item but could say already how surprised it was that such accusations could be made against a body which had not yet been established and of which the membership had not yet been publicly announced.

98. Mr. HE Ke Min (China), speaking in reply to the groundless accusations launched against China by a number of Western countries and NGOs, reaffirmed that considerable efforts had been made by the Chinese Government to ensure the protection of human rights and that considerable progress had been made in that field. The rights of all Chinese, including Tibetans, were duly respected. Falun Gong was a harmful movement that had already brought about the death of a number of its followers and its elimination was necessary in order to preserve social order.

99. The Chinese Government had striven hard to find an area of agreement with the Western countries on the question of human rights. Accordingly, it regretted the biased and selective attitude adopted by those countries, which would do well to save their criticism for their own behaviour.

100. Mr. AL MADI (Saudi Arabia) said that his delegation had been surprised to note that the representative of Portugal, speaking on behalf of the European Union, had taken no account in his statement of the considerable progress achieved in Saudi Arabia in recent years in dealing with human rights issues. The drafters of the statement should have taken their information from reliable sources rather than reiterate inaccurate and false allegations. For example, the European Union had urged the Government of the Kingdom of Saudi Arabia to invite the Special Rapporteur on the independence of judges and lawyers to visit the Kingdom, whereas in fact the Government had already said that it would welcome such a visit and had duly notified the Special Rapporteur to that effect in January 2000. The Special Rapporteur had mentioned the invitation in paragraph 243 of his report (E/CN.4/2000/61 and Add.1), which proved once again that the drafters of the statement had failed to seek reliable and accurate information. The Saudi Arabian Government, for its part, remained ready to respond to all requests for information.

101. Mr. AKRAM (Pakistan) thanked the European Union for its concern regarding events in Jammu and Kashmir but regretted that it had unfortunately formed a distorted impression of the situation in the territory. It should be recalled that India was currently waging a policy of brutal repression against the people of Kashmir who were struggling for their independence and that violations of human rights by Indian troops in Kashmir had increased. It should not be forgotten, moreover, that there were Kashmiris on both sides of the line of control. If 700,000 Indian troops could not stop the so-called "infiltration", the Pakistani contingent, which was much smaller, could not be expected to do so.

102. The terrorism referred to by the European Union must concern the actions of the Indian army commandos, such as the brutal massacre on 24 February 2000 of 14 persons in a village in Azad Kashmir. While the Kashmiris were fighting Indian soldiers, the Indians were fighting the entire people of Kashmir. Clearly, all those who failed to take an objective view of the situation in Kashmir would share responsibility for the intensification of the conflict and of human rights violations in the region.

103. Mr. YOUSIF ABDALLA (Sudan) recalled that the Commission had concluded at its previous session that slavery did not exist in the Sudan. The Special Rapporteur on human rights in the Sudan had reached the same conclusion, following a number of encounters with the Sudanese authorities and tribal leaders during his visit to the country. The real state of affairs was that efforts were being made in certain quarters to turn the problem of the kidnapping of women and children into one of slavery, with a view to defaming the Sudan's reputation. The aim was to prevent the country from emerging from underdevelopment and from using its resources to improve the living conditions of the people. It should be noted that the Sudanese Government had decided to devote 35 per cent of its oil receipts to that end. The organization which had drawn attention to the situation in the Sudan should join in the Government's efforts to solve the problems which gave rise to conflict, instead of worsening the situation by making lying accusations.

104. Mr. AL-FAHANI (Observer for Bahrain) rejected the baseless allegations made against the State of Bahrain by an NGO. All issues relating to the arrest and detention of persons were determined in strict accordance with Bahraini law. Under article 25 of the 1966 Code of Criminal Procedure, a suspect's detention for investigation could not extend beyond 48 hours.

Prolongation beyond that period required a court order under article 79 of the Code or an order of the Minister of the Interior under article 1 of the 1974 State Security Law. The rules were therefore in compliance with articles 9, 10, 19, 29 and 30 of the Universal Declaration of Human Rights, although Bahrain was not a signatory to it, as well as with articles 5, 7, 9, 10, 19 and 20 of the International Covenant on Civil and Political Rights. The use of force by the police was strictly regulated by Bahraini law and by internationally recognized guidelines. Victims of violence or assault by the police had available to them various statutory and constitutional mechanisms whereby they could obtain redress, including, where necessary, proceedings before Bahrain's courts. The Government was not aware of any case having been brought against the police in that connection.

105. Mr. HUSSAIN (Observer for Iraq) said that peaceful coexistence among the various religions was a reality in Iraq. The State even subsidized the restoration of the places of worship of all religious faiths and provided assistance to all the religious communities. Iraq had moreover ratified the International Convention on the Elimination of All Forms of Racial Discrimination and Iraqi law punished all those who violated the Convention's provisions.

106. The NGO which had raised the matter of the supposed violation of human rights in Iraq would do better to concern itself with the violations to which the Iraqi people were subjected through the embargo imposed on the country by the Security Council.

107. Mr. TEKLE (Observer for Eritrea) said that the whole world now knew which country, Eritrea or Ethiopia, wanted war and which wanted peace, because in the last three months the Government of Ethiopia had openly threatened to resort to force whereas Eritrea had cooperated with the OAU in the search for a peaceful settlement of the conflict. Eritrea was ready to sign an agreement, whereas Ethiopia had rejected the plan proposed by the OAU. The violations committed by Ethiopia had been set out in detail in the reports of Amnesty International and Human Rights Watch as well as in the annual report on human rights of the United States State Department. If Ethiopia was in fact concerned, as it alleged, about the fate of its citizens in Eritrea, it should join with Eritrea in seeking the establishment of a commission of inquiry or the appointment of a Special Rapporteur of the Commission to study the situation. If it was not ready to do so, what was the obvious conclusion? The international community, and thus the Commission, should bear that conclusion in mind if it genuinely wished to know the truth about the human rights situation in Eritrea and Ethiopia.

The meeting rose at 6.10 p.m.